

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

OLYMPUS SECURITIES, LLC,

Plaintiff,

-against-

UNITED FIBER & DATA, LLC,

Defendant.

Case No.: 16-CV-1931 (VEC)

**AFFIDAVIT OF
CHAD GRACEY
IN SUPPORT OF MOTION
TO DISMISS COMPLAINT**

Chad Gracey, being duly sworn, deposes and states:

1. I was a manager of Defendant United Fiber & Data, LLC ("UFD") during the term of the engagement letter ("Engagement Letter") attached to Plaintiff Olympus Securities, LLC's ("Olympus") Complaint.

2. Olympus's sole request for relief is based on the allegation that UFD closed on more than \$30 million in securities during the term of the Engagement Letter attached to its Complaint.

3. The alleged transaction did not and has not occurred.

I declare under penalty of perjury, that the foregoing is true and correct to the best of my knowledge, understanding and belief.

DATE: 05/25/16


Chad Gracey

Sworn and subscribed to before me

this day of May, 2016.



Notary Public

**see attached
notary**

JURAT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Orange

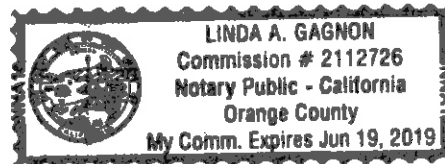
Subscribed and sworn to (or affirmed) before me on this 25th day of May,
2016 by Chad Caracy

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature



(Seal)



OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Affidavit of Chad Caracy
In Support of motion to

Dismiss Complaint

(Title or description of attached document continued)

Number of Pages 1 Document Date May 25
2016

Additional information

INSTRUCTIONS

The wording of all Jurats completed in California after January 1, 2015 must be in the form as set forth within this Jurat. There are no exceptions. If a Jurat to be completed does not follow this form, the notary must correct the verbiage by using a jurat stamp containing the correct wording or attaching a separate jurat form such as this one with does contain the proper wording. In addition, the notary must require an oath or affirmation from the document signer regarding the truthfulness of the contents of the document. The document must be signed AFTER the oath or affirmation. If the document was previously signed, it must be re-signed in front of the notary public during the jurat process.

- State and county information must be the state and county where the document signer(s) personally appeared before the notary public.
- Date of notarization must be the date the signer(s) personally appeared which must also be the same date the jurat process is completed.
- Print the name(s) of the document signer(s) who personally appear at the time of notarization.
- Signature of the notary public must match the signature on file with the office of the county clerk.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different jurat form.
 - ❖ Additional information is not required but could help to ensure this jurat is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
- Securely attach this document to the signed document with a staple.